IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 538 OF 2006

IN

FIRST APPEAL NO. 47 OF 1998

MR. GURUDAS MAHADEV MERKAR, SANQUELIM GOA. ....Applicant

Versus

STATE OF GOA THROUGH THE DY. COLLECTOR AND SPECIAL LAND ACQUISITION OFFICER AND ANR., ...Respondents

Mr. Sudin M. S. Usgaonkar, Advocate for the applicant.

Ms. W. Coutinho, Government Advocate for the respondents.

Coram:- P.V. KAKADE, J.

Date:- 20th October, 2006

P.C.

Heard both sides. This is an application to condone the delay to bring the heirs on record and also to permit them to withdraw the amount, deposited at the foot of the land acquisition reference. However, the learned Government Advocate submits that she has no instructions so far as withdrawal is concerned and, therefore, this application be treated as an application for condonation of delay.

In view of the facts and circumstances, the application is made absolute in terms of prayer clause (a). The delay stands condoned and the application stands disposed of with no order as to costs. The heirs be brought on record within a period of two weeks.

The applicant shall be at liberty to move afresh for prayer for withdrawal of the amount.

P.V. KAKADE, J.

ssm.